

H.J.R. No. 27

By

*[Handwritten signatures: J. Jones, T. Bon, W. Bailey, J. H. Harris, L. Carnes]*

HOUSE JOINT RESOLUTION

PROPOSING an amendment to Section 33, Article XVI, Constitution of the State of Texas, to allow state officers and employees to hold, under given conditions, other offices and positions under this state or the United States.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. That Section 33, Article XVI, Constitution of the State of Texas, be amended to read as follows:

"Section 33. The accounting officers of this state shall neither draw nor pay a warrant upon the Treasury in favor of any person, for salary or compensation as agent, officer or appointee, who holds at the same time any other office or position of honor, trust, or profit, under this state or the United States, except as prescribed in this Constitution. Provided, that this restriction as to the drawing and paying of warrants upon the Treasury shall not apply to officers of the National Guard of Texas, the National Guard Reserve, the Officers Reserve Corps of the United States, nor to enlisted men of the National Guard, the National Guard Reserve, and the Organized Reserve of the United States, nor to retired officers of the United States Army, Navy, and Marine Corps, and retired warrant officers and retired enlisted men of the United States Army, Navy, and Marine Corps. It is further provided that a state officer or employee may hold other offices or positions of honor, trust, or profit under this state or the United States, if the other offices or positions are of benefit to the State of Texas or are required by state or federal law, and there is no conflict with the original office or position for which he receives salary or compensation."

SEC. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November 1968, at which election all ballots shall have printed thereon the following:

"FOR the constitutional amendment allowing state officers and employees to serve in other offices or positions under this state or the United States if the offices or positions are of benefit to Texas or are required by state or federal law, and there is no conflict of interest with the original office or position."

"AGAINST the constitutional amendment allowing state officers and employees to serve in other offices or positions under this state or the United States if the offices or positions are of benefit to Texas or are required by state or federal law, and there is no conflict of interest with the original office or position."

SEC. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election, and this amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state.

Thomson J. H.

(For a favorable report on a bill where a "committee substitute" was recommended by the committee.)

COMMITTEE REPORT

Date 4/28/67

HON. BEN BARNES

Speaker of the House of Representatives.

Sir:

We, your Committee on Constitutional Amendments, to whom was referred HJR No. 27, have had the same under consideration and beg to report back with recommendation that it do pass, and be not printed. Committee Substitute was recommended and is to be printed in lieu of the original bill.

*Rayford H. [Signature]*  
Chairman.

(A "committee substitute" in the case of a bill is in the form of two suggested amendments, a new body and a new caption. Under the Rules a committee may authorize the printing of the "committee substitute" in lieu of the original bill. If the original caption is adequate, the "committee substitute" should be only a new body; and in such case the original caption should be printed along with the suggested new body.)

COMMITTEE AMENDMENT  
NO. 1

COMMITTEE AMENDMENT NO. 1

Amend H.J.R. No. 27 by striking all below the resolving clause and substituting the following:

Section 1. That Section 33, Article XVI, Constitution of the State of Texas, be amended to read as follows:

"Section 33. The Accounting Officers of this State shall neither draw nor pay a warrant upon the Treasury in favor of any person for salary or compensation as agent, officer or appointee, who holds at the same time any other office or position of honor, trust, or profit, under this State, except as prescribed in this Constitution. Provided, that this restriction as to the drawing and paying of warrants upon the Treasury shall not apply to officers of the National Guard or Air National Guard of Texas, the National Guard Reserve, the Air National Guard Reserve, the Air Force Reserve, the Officers Reserve Corps of the United States, nor to enlisted men of the National Guard, the Air National Guard, the National Guard Reserve, the Air National Guard Reserve, the Air Force Reserve, and the Organized Reserve of the United States, nor to retired officers of the United States Army, Air Force, Navy, and Marine Corps, and retired warrant officers and retired enlisted men of the United States Army, Air Force, Navy, and Marine Corps. ~~It is further provided that a nonelective State officer or employee may hold other nonelective offices or positions of honor, trust, or profit under this State or the United States, if the other offices or positions are of benefit to the State of Texas or are required by State or federal law, and there is no conflict with the original office or position for which he receives salary or compensation.~~ (No member of the Legislature of this State may hold any other office or position of profit under this state, or the United States."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November 1968, at which election all ballots shall have printed thereon the following:

"FOR the constitutional amendment allowing state officers and employees to serve in other offices or positions under this state or the United States if the offices or positions are of benefit to Texas or are required by state or federal law, and there is no conflict of interest with the original office or position; prohibiting elected officers under this state or the United States from holding any other office or position under this state; and adding members of the Air National Guard, Air National Guard Reserve, Air Force Reserve, and retired members of the Air Force to the list of persons exempted."

"AGAINST the constitutional amendment allowing state officers and employees to serve in other offices or positions under this state or the United States if the offices or positions are of benefit to Texas or are required by state or federal law, and there is no conflict of interest with the original office or position; prohibiting elected officers under this state or the United States from holding any other office or position under

*Kept on the list under former act not having made the office of Attorney General*

DATE MAY 8 1967

READ AND ADOPTED *As Amended*  
*Dorothy Hallman*  
CHIEF CLERK  
HOUSE OF REPRESENTATIVES

*H. H. H.*  
*P. H.*

this state; and adding members of the Air National Guard, Air National Guard Reserve, Air Force Reserve, and retired members of the Air Force to the list of persons exempted."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election, and this amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state.

①

*Nugent*

Amendment by Nugent of Kerr:

Amend H. J. R. No. 27 Committee Amendment No. 1 by adding on line 38 after the period following the word compensation as a part of the next sentence the following:

"Except as to the Armed Forces as set out herein,  
and the office of Notary Public,

DATE MAY 8 1967

READ AND ADOPTED

*Dorothy H. Lamm*  
CHIEF CLERK  
HOUSE OF REPRESENTATIVES

*h m*

(2)

Amend Com. Amend. No. 1 to HJR 27  
by striking the words

"It is further provided"  
in line 33 on page 1, and sub-  
stitute in lieu thereof the following:

"The Legislature may provide  
by general law, under such  
restrictions and limitations as  
the Legislature may prescribe,"

Hahn

DATE MAY 8 1967

READ AND ADOPTED, by non-record vote

Dorothy Hallman  
CHIEF CLERK  
HOUSE OF REPRESENTATIVES

f m

By: Jones of Lubbock, et al

H.J.R. No. 27

HOUSE JOINT RESOLUTION

proposing an amendment to Section 33, Article XVI, Constitution of the State of Texas, to allow state officers and employees to hold, under given conditions, other offices and positions under this state or the United States.

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"Section 33. The Accounting Officers of this State shall neither draw nor pay a warrant upon the Treasury in favor of any person for salary or compensation as agent, officer or appointee, who holds at the same time any other office or position of honor, trust, or profit, under this State, except as prescribed in this Constitution. Provided, that this restriction as to the drawing and paying of warrants upon the Treasury shall not apply to officers of the National Guard or Air National Guard of Texas, the National Guard Reserve, the Air National Guard Reserve, the Air Force Reserve, the Officers Reserve Corps of the United States, nor to enlisted men of the National Guard, the Air National Guard, the National Guard Reserve, the Air National Guard Reserve, the Air Force Reserve, and the Organized Reserve of the United States, nor to retired officers of the United States Army, Air Force, Navy, and Marine Corps, and retired warrant officers and retired enlisted men of the United States Army, Air Force, Navy, and Marine Corps.



The Legislature may provide by general law, under such restrictions and limitations as the Legislature may prescribe, that a non-elective State officer or employee may hold other nonelective offices or positions of honor, trust, or profit under this State or the United States, if the other offices or positions are of benefit to the State of Texas or are required by State or federal law, and there is no conflict with the original office or position for which he receives salary or compensation. Except as to the Armed Forces as set out herein, and the office of Notary Public, no member of the Legislature of this State may hold any other office or position of profit under this State, or the United States."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November 1968, at which election all ballots shall have printed thereon the following:

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"AGAINST the constitutional amendment allowing state officers and employees to serve in other offices or positions under this

state or the United States if the offices or positions are of benefit to Texas or are required by state or federal law, and there is no conflict of interest with the original office or position; prohibiting elected officers under this state or the United States from holding any other office or position under this state; and adding members of the Air National Guard, Air National Guard Reserve, Air Force Reserve, and retired members of the Air Force to the list of persons exempted." \_\_\_\_\_

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election, and this amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state. \_\_\_\_\_

Austin, Texas

May 11, 19 67

Hon. Preston Smith  
President of the Senate

Sir:

We, your Committee on CONSTITUTIONAL AMENDMENTS,  
to which was referred HJR XE. No. 27, have had the same  
under consideration, and I am instructed to report it back to  
the Senate with the recommendation that it do \_\_\_\_\_  
pass as amended and be \_\_\_\_\_ printed.

Moore  
Chairman MOORE

CAS

COMMITTEE AMENDMENT NO. 1

BY Herring

Amend HJR 27, Section 1, by striking out the language "The Legislature may provide by general law, under such restrictions and limitations as the Legislature may prescribe," and by adding immediately after the words stricken the words " Provided however" .

MAY 27 1967

The House refused to concur in Senate amendments to HJR No. 27 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

*Dorothy Hallman*

Chief Clerk, House of Representatives

ADOPTED

MAY 24 1967

*Charles Schnabel*  
SECRETARY OF SENATE

#1

*Handwritten note:*  
Read  
1967

Austin, Texas

May 29, 1967

Honorable Preston Smith, President of the Senate

Honorable Ben Barnes, Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HJR No. 27, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

MAY 29 1967

The House has adopted the Conference Committee Report on House Bill No. 27 by a vote of 119 ayes, 16 noes.

*Dorothy Hallman*

Chief Clerk, House of Representatives

MAY 29 1967

MOTION TO RECONSIDER THE VOTE BY WHICH House adopted Conf. Report ADOPTED / PASSED AND TO TABLE THE MOTION TO RECONSIDER PREVAILED PASSED BY A Non-record VOTE OF

AYES AND

NAYES

*Dorothy Hallman*  
CHIEF CLERK HOUSE OF REPRESENTATIVES

MAY 29 1967

SENT TO ENROLLING CLERK

*Richard*  
*Aug*  
*Hall*  
*Hogmon*  
*Brook*  
On the part of the Senate

*Stephen Jones*  
*Rayford Lee*  
*Alvin J. Jernigan*  
*Bob Armstrong*  
*C. DeWitt Hale*  
On the part of the House

HOUSE JOINT RESOLUTION

proposing an amendment to Section 33, Article XVI, Constitution of the State of Texas, to allow non-elective state officers and employees to hold, under given conditions, other non-elective offices and positions under this state or the United States.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 33, Article XVI, Constitution of the State of Texas, be amended to read as follows:

"Section 33. The Accounting Officers of this State shall neither draw nor pay a warrant upon the Treasury in favor of any person for salary or compensation as agent, officer or appointee, who holds at the same time any other office or position of honor, trust, or profit, under this State, except as prescribed in this Constitution. Provided, that this restriction as to the drawing and paying of warrants upon the Treasury shall not apply to officers of the National Guard or Air National Guard of Texas, the National Guard Reserve, the Air National Guard Reserve, the Air Force Reserve, the Officers Reserve Corps of the United States, nor to enlisted men of the National Guard, the Air National Guard, the National Guard Reserve, the Air National Guard Reserve, the Air Force Reserve, and the Organized Reserve of the United States, nor to retired officers of the United States Army, Air Force, Navy, and Marine Corps, and retired warrant officers and retired enlisted men of the United States Army, Air Force, Navy, and Marine Corps. It is further provided, until September 1, 1969, and thereafter only if authorized by the Legislature by general law under such restrictions and limitations as the Legislature may prescribe, that a non-elective State officer or employee may hold other non-elective offices or positions of honor, trust, or profit under this State or the United States, if the other offices or positions are of benefit to the State of Texas or are required by State or federal law, and there is no conflict with the original office or position for which he receives salary or compensation. No member of the Legislature of this State may hold any other office or position of profit under this state, or the United States."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on November 11, 1967, at which election all ballots shall have printed thereon the following:

"FOR the constitutional amendment allowing non-elective state officers and employees to serve in other non-elective offices or positions under this state or the United States until September 1, 1969, and thereafter only if authorized by the Legislature, if the offices or positions are of benefit to Texas or are required by state or federal law, and there is no conflict of interest with the original office or position; prohibiting elected officers under this state or the United States from holding any other office or position under this state; and adding members of the Air National Guard, Air National Guard Reserve, Air Force Reserve, and retired members of the Air Force to the list of persons exempted."

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Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election, and this amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state. Such publication of this amendment shall be limited to the publication of Sections 1 and 2 of this Resolution only.

Austin, Texas

May 29, 1967

Honorable Preston Smith, President of the Senate

Honorable Ben Barnes, Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HJR No. 27, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

ADOPTED  
by vote of 31-0  
MAY 29 1967

*Charles Schuabel*  
SECRETARY OF SENATE

MAY 29 1967

SENT TO HOUSE

MAY 29 1967

Received from  
the Senate.

*Dorothy Hallman*

Chief Clerk, House of Representatives

MAY 29 1967

SENT TO ENROLLING CLERK

*W. B. Hall*  
*Brook*  
On the part of the Senate

*John Lopez*  
*Raymond Lee*  
*Alvin Garrison*  
*Bob Armstrong*  
*C. DeWitt Hays*  
On the part of the House



HOUSE JOINT RESOLUTION

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1

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ENROLLED

H.J.R. No. 27

HOUSE JOINT RESOLUTION

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men of the United States Army, Air Force, Navy, and Marine Corps. It is further provided, until September 1, 1969, and thereafter only if authorized by the Legislature by general law under such restrictions and limitations as the Legislature may prescribe, that a non-elective State officer or employee may hold other non-elective offices or positions of honor, trust, or profit under this State or the United States, if the other offices or positions are of benefit to the State of Texas or are required by State or federal law, and there is no conflict with the original office or position for which he receives salary or compensation. No member of the Legislature of this State may hold any other office or position of profit under this state, or the United States."

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Lieutenant Governor  
President of the Senate

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Speaker of the House

H.J.R. No. 27

I hereby certify that H.J.R. No. 27 was adopted by the House on May 8, 1967, by the following vote: Yeas 127, Nays 18; that the House refused to concur in Senate amendments to H.J.R. No. 27 on May 27, 1967, and requested the appointment of a Conference Committee to consider the differences between the two Houses; and that the House adopted the Conference Committee Report on H.J.R. No. 27 on May 29, 1967, by the following vote: Yeas 119, Nays 16.

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Chief Clerk of the House

I hereby certify that H.J.R. No. 27 was adopted by the Senate, with amendments, on May 24, 1967, by the following vote: Yeas 30, Nays 0; at the request of the House, the Senate appointed a Conference Committee to consider the differences between the two Houses; and that the Senate adopted the Conference Committee Report on H.J.R. No. 27 on May 29, 1967, by the following vote: Yeas 31, Nays 0.

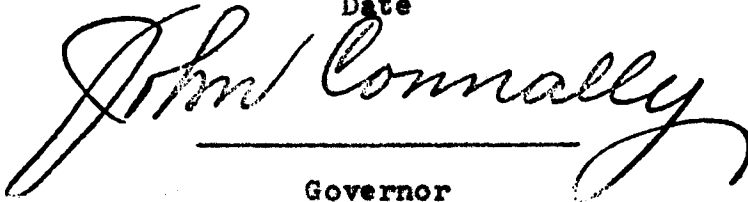
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Secretary of the Senate

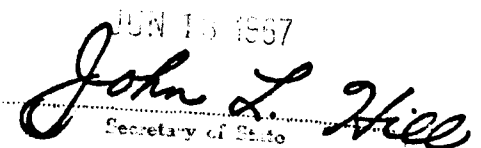
APPROVED:

Date

Governor

6/18/67  
  
Governor

SECRETARY OF STATE  
JUN 15 1967  
1:05pm

  
Secretary of State

H.J.R. No. 27

By Jones, S. et al

HOUSE JOINT RESOLUTION

PROPOSING an amendment to  
Section 33, Article XVI,  
Constitution of the State  
of Texas, to allow state  
officers and employees to  
hold, under given conditions,  
other offices and positions  
under this state or the  
United States.

FILED FEB 9 1967

FEB 13 1967

READ 1ST TIME

AND REFERRED TO COMMITTEE ON

Constitutional Amendments

APR 28 1967 REPORTED FAVORABLY AS AMENDED SENT TO PRINTER

PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

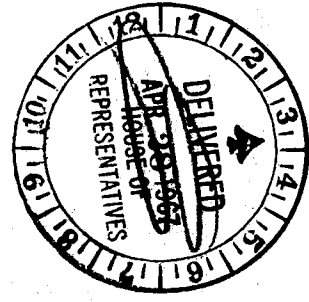
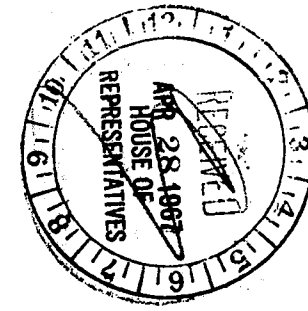
RULES 3:30 P.M. APR 28 1967  
(Time) (Date)

~~MAY 8 1967~~

~~READ SECOND~~

~~TIME AND~~

~~ORDERED ENGROSSED~~



*Postponed to 5-8-67  
at 3:00 P.M.*

*Dorothy Hallman*

Chief Clerk, House of Representatives

*Dorothy Hallman*

Chief Clerk, House of Representatives

*(over)*

MAY 8 1967

READ SECOND

TIME Amended AND

ORDERED ~~ENGROSSED~~

*and Adopted  
by vote of 127 ayes, 18 nays.*

*Dorothy Hallman*

Chief Clerk, House of Representatives

MAY 8 1967 SENT TO ENGROSSING CLERK

27



By: Jones of Lubbock, et al

H.J.R. No. 27

HOUSE JOINT RESOLUTION

proposing an amendment to Section 33, Article XVI, Constitution of the State of Texas, to allow state officers and employees to hold, under given conditions, other offices and positions under this state or the United States.

2- 9-67 Filed. \_\_\_\_\_

2-13-67 Read first time and referred to Committee on Constitutional Amendments. \_\_\_\_\_

4-28-67 Reported favorably as amended, sent to printer. \_\_\_\_\_

4-28-67 Printed, distributed and referred to Committee on Rules at 3:30 p.m. \_\_\_\_\_

5- 8-67 Read second time, amended and adopted by the following vote: Yeas 127, Nays 18. \_\_\_\_\_

Dorothy Hallman  
Chief Clerk, H. of R.

5- 8-67 Sent to Engrossing Clerk. \_\_\_\_\_

5- 8-67 Engrossed. \_\_\_\_\_

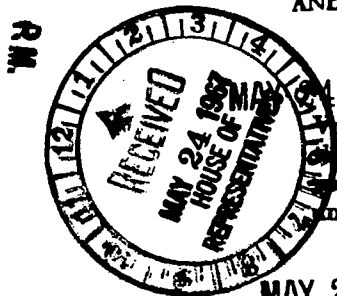
Area Supp  
Engrossing Clerk, H. of R.

MAY 9 1967 RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE

MAY 9 1967  
IN THE SENATE  
Received from the House

MAY 24 1967  
READ SECOND TIME, \_\_\_\_\_  
AND PASSED TO THIRD READING.

MAY 9 1967  
Read first time  
and referred to Committee  
on Constitutional Amendments

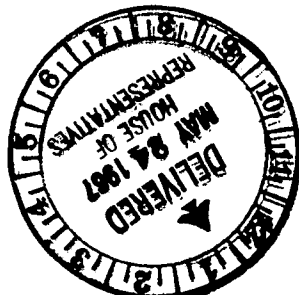


MAY 24 1967  
Vote by which passed to ~~second~~ third reading was reconsidered by ~~unanimous consent~~ ~~unanimous consent~~

MAY 15 1967 Reported Favorably.  
as amended

MAY 24 1967  
~~READ SECOND TIME~~ Amended  
AND PASSED TO THIRD READING.

~~Regular order of business~~  
~~suspended by unanimous consent~~  
~~to permit consideration.~~



MAY 24 1967  
Senate Rule 32 and  
Constitutional Rule (Sec. 32, Art. III)  
suspended by a vote of 30 yeas,  
0 nays, to place bill on third  
reading and final passage.

MAY 24 1967  
Regular order of business sus-  
pended by unanimous consent to  
permit consideration.

(over)

READ THIRD TIME AND PASSED  
BY THE FOLLOWING VOTE:

Yeas 30 Nays 0

Charles Schnabel  
Secretary of the Senate

MAY 24 1967 SENT TO HOUSE

MAY 24 1967

RETURNED FROM SENATE AS AMENDED SENT TO PRINTER

Dorothy Hallman  
Chief Clerk, House of Representatives

MAY 27 1967

Failed to concur in  
Senate Amendments, by  
Vote of 91 ayes, 51 noes.

Dorothy Hallman  
Chief Clerk, House of Representatives

MAY 27 1967

Motion to reconsider  
vote by which House failed to  
concur, prevailed.

Dorothy Hallman  
Chief Clerk, House of Representatives

MAY 27 1967

The House refused to concur in Senate amend-  
ments to House Bill No. 27 and has requested  
the appointment of a Conference Committee to  
consider the differences between the two Houses.

Dorothy Hallman  
Chief Clerk, House of Representatives

MAY 29 1967

The House has  
adopted the Conference Committee Report  
on House Bill No. 27 by a vote  
of 114 ayes, 16 noes.

Dorothy Hallman  
Chief Clerk, House of Representatives

MAY 29 1967

MOTION TO RECONSIDER THE VOTE BY  
WHICH House adopted Conf. Report WAS  
ADOPTED / PASSED AND TO RECON-  
SIDER BY YEAS AND NAYS 114-16 RECON-  
SIDERED

Dorothy Hallman  
CHIEF CLERK HOUSE OF REPRESENTATIVES

MAY 29 1967 SENT TO ENROLLING CLERK

ENDING 7:30